

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

PEIJPER INCORPORATED
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PCT

WRITTEN OPINION
(PCT Rule 66)

Date of mailing (day/month/year)		28.06.2004
Applicant's or agent's file reference 232094		REPLY DUE within 3 month(s) from the above date of mailing
International application No. PCT/ZA 03/00134	International filing date (day/month/year) 12.09.2003	Priority date (day/month/year) 12.09.2002
International Patent Classification (IPC) or both national classification and IPC F01D1/34		
Applicant SMITH, Vicus William		

- This written opinion is the **first** drawn up by this International Preliminary Examining Authority.
- This opinion contains indications relating to the following items:
 - ☒ Basis of the opinion
 - ☐ Priority
 - ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Lack of unity of invention
 - ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Certain documents cited
 - ☐ Certain defects in the international application
 - ☐ Certain observations on the international application
- The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also: For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
- The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 12.01.2005

Name and mailing address of the international preliminary examining authority:



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I. Basis of the opinion

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*):

Description, Pages

1-6 as originally filed

Claims, Numbers

1-20 as originally filed

Drawings, Sheets

1/5-5/5 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

6. Additional observations, if necessary:

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been and will not be examined in respect of:

- ☒ claims Nos. 16-20

because:

- ☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 16-20 are so unclear that no meaningful opinion could be formed (*specify*):

see separate sheet

- ☐ no international search report has been established for the said claims Nos.

2. A written opinion cannot be drawn due to the failure of the nucleotide and/or amino acid sequence listing to comply with the Standard provided for in Annex C of the Administrative Instructions:

- ☐ the computer readable form has not been furnished or does not comply with the Standard.

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- ## 1. Statement

Novelty (N)	•	Claims	13,14 NO
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Inventive step (IS)	Claims
Yes	1-10
No	11-13

Industrial applicability (IA)	Claims
<p>1. A method for determining a value of a function $f(x)$ at a point x, comprising:</p> <p>receiving a set of data points (x_i, y_i) for $i = 1, 2, \dots, n$;</p> <p>fitting a function $f(x)$ to the data points;</p> <p>evaluating the function $f(x)$ at the point x.</p>	<p>1. A method for determining a value of a function $f(x)$ at a point x, comprising:</p> <p>receiving a set of data points (x_i, y_i) for $i = 1, 2, \dots, n$;</p> <p>fitting a function $f(x)$ to the data points;</p> <p>evaluating the function $f(x)$ at the point x.</p>

- ## 2. Citations and explanations

see separate sheet

Re Section III

Claims 16-20 contain references to the description and/or the drawings. According to Rule 6.2(a) PCT, claims should not contain such references except where absolutely necessary, which is not the case here.

Re Section V

The prior art document D1 (US-A-3 737 248 discloses, cf. column 1, lines 51-67; column 2, lines 17-52; figures 1;2, a method of rotating an impeller of a rotary engine including all features of the independent claim 13, the matter of which therefore lacks the required novelty.

The further features of dependent claim 14 are also known from D1 and their addition to the matter of claim 13 does not result in any novel matter.

The combination of the features of dependent claim 15 is neither known from, nor rendered obvious by, the available prior art. It is suggested therefore that a new independent claim be drafted to include these features, bearing in mind that the features known in combination in D1 should be placed in the preamble of such a claim in accordance with Rule 6.3(b) PCT.

The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).